



NOTICE OF ALLOWANCE AND ISSUE FEE DUE

DHL170427

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/113,265	07/10/99	one	MEDWITZ 6	07/27 04/27/99
First Named Applicant	DELMONIC	05 USC 154 (b) term extn	-	C. Davis
TITLE OF INVENTION	QUICK CATCH SYSTEM FOR TOOL BOX			
ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY
15757.00	224-404.000	541	UTILITY	YES \$605.00
				07/27/99

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.
 PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS
 APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.
 Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PATENT AND TRADEMARK OFFICE COPY

Notice of AllowabilityApplication No.
09/113,285

Applicant(s)

DeLong

Examiner

Gregory Vidovich

Group Art Unit

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All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

This communication is responsive to a telephonic interview with applicant on 4/21/99 (see Paper No. 4).

The allowed claim(s) is/are 1-7 and 9.

The drawings filed on _____ are acceptable.

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

Applicant MUST submit NEW FORMAL DRAWINGS

because the originally filed drawings were declared by applicant to be informal.

including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____.

including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 2 and 3

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

Interview Summary, PTO-413

Examiner's Amendment/Comment

Examiner's Comment Regarding Requirement for Deposit of Biological Material

Examiner's Statement of Reasons for Allowance

1 page Drawing Correction

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Dolph Torrence (Reg. No. 34,501) on April 21, 1999.

2. The application has been amended as follows:

In the specification:

page 9, line 18: change both occurrences of "box 21" to --hole 22--.

Claim 1 (Patent Claim 1):

line 6: change "an" to --a clamping--;

line 8: after the second occurrence of "said" insert --clamping--

line 12: after "shaft" insert the following:

a
wherein said fastener has a rhombic shape to allow insertion into one of
said post holes in one position and prevent withdrawal of said fastener in
another position.

Cancel Claim 8.

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Claim 9 (Patent Claim 8):

line 2: delete "rubber or other";

line 5: change "through" to --therethrough--.

3. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: in figure 4, change the clamp arm (see lead line 62) shown in phantom to solid lines and change the clamp arm shown in solid lines to phantom lines to best illustrate the clamping feature and the engagement of element 80 with the undersurface of element 24. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Rogers, Page, Rossi, and Whatley references each disclose a tool box for use in a vehicle and connected to the side panels of the vehicle. The Christensen, Stark, Farmer, Tackett, and Fonesca references each disclose a tool box mountable within the bed of a truck. The Pitzer (2), Johnson, and Albertine references each disclose a cam-type fastener.

5. The following is an examiner's statement of reasons for allowance:

The references, either alone or in combination, do not teach the invention as claimed by applicant, particularly a latch system for use with a motor vehicle having side panels with post holes wherein the system comprises a tool box as claimed and a shaft, clamp arm, and fastener as claimed wherein the fastener has a rhombic shape to allow insertion into one of the post holes in one position and prevent withdrawal of the fastener in another position as claimed.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory Vidovich whose telephone number is (703) 308-1513.

Gregory Vidovich
Gregory Vidovich
Patent Examiner
Art Unit 3727

gv
April 22, 1999